

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FIFTH LEGISLATURE

Juneau, Alaska

Tuesday

April 24, 2007

Ninety-ninth Day

Pursuant to adjournment the House was called to order by Speaker Harris at 10:13 a.m.

Roll call showed 36 members present. Representatives Chenault, Kerttula, and Nelson had been excused from a call of the House today.

Representative Samuels moved and asked unanimous consent that Representative Kohring be excused from a call of the House from today to evening plane time, April 25. There being no objection, it was so ordered.

The invocation was offered by the Chaplain, Kayla Epstein of Congregation Sukkat Shalom. Representative Dahlstrom moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

In deepest respect for the religious beliefs of each person here,
I invite you into a time of prayer and reflection. Let us pray.

Hi-nei ma-tov u-ma na-im
sheh-vet a-chim gam ya-chad.
How good it is, and how pleasant,
when we dwell together in unity.

Surrounded by the members of the community in which I live,
I come before you, Eternal God. I share my happiness with
them and it becomes greater. I share my trouble with them
and it seems smaller. May I never be too selfish to give, nor

too proud to receive, for in giving and receiving I discover you, as I begin to discover the meaning of my life.

Let me not separate myself from the true strength of my community: the experience and wisdom of old people, the hopes of the young, and the examples of care and courage which sustain me. Give me an open heart and an open mind to welcome those who need me and to receive your presence in my daily life.

I think of what our community could be and the harmony that could unite us. I think of our loneliness and the friendship that could fill our lives. I think of the good that we could do if we were one in spirit. I know that this is your will and pray for your help. May I and those around me find our joy together, and thank you for the power you give us to help each other. Amen.

The Pledge of Allegiance was led by Representative Seaton.

CERTIFICATION OF THE JOURNAL

Representative Samuels moved and asked unanimous consent that the journal for the 98th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

* * * * *

Representative Lynn introduced Jesslin Wooliver, Guest Page, from Anchorage.

Representative Guttenberg introduced James Hollis, McKenzie Pearson, Sky Shepherd, and Jamie Sutton, Guest Pages, from Anderson.

MESSAGES FROM THE SENATE

HB 35

A message dated April 23, 2007, was read stating the Senate passed:

HOUSE BILL NO. 35

"An Act extending the termination date for the Board of Certified Direct-Entry Midwives; and providing for an effective date."

HB 35 was referred to the Chief Clerk for enrollment.

COMMUNICATIONS

The following was received:

Dept. of Administration
Office of the Commissioner
Monetary Terms of Agreement Between the
State and the Inlandboatmen's Union of the Pacific
April 23, 2007
(as required by AS 23.40.215)

The Speaker referred the monetary terms of agreement to the Finance Committee.

REPORTS OF STANDING COMMITTEES**HJR 7**

The Judiciary Committee considered:

HOUSE JOINT RESOLUTION NO. 7

Proposing amendments to the Constitution of the State of Alaska to avoid the use of personal pronouns and similar references that denote masculine or feminine gender in that document.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 7(STA)
(same title)

The report was signed by Representative Ramras, Chair, with the following individual recommendations:

Do pass (1): Gruenberg

No recommendation (5): Lynn, Dahlstrom, Samuels, Holmes, Ramras

The following fiscal note(s) apply to CSHJR 7(STA):

1. Fiscal, Office of the Governor

HJR 7 was referred to the Finance Committee.

HB 45

The Finance Committee considered:

HOUSE BILL NO. 45

"An Act authorizing the Department of Military and Veterans' Affairs to establish and maintain Alaska veterans' cemeteries; and establishing the Alaska veterans' cemetery fund in the general fund."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 45(MLV)
(same title)

The report was signed by Representatives Meyer and Chenault, Co-chairs, with the following individual recommendations:

Do pass (9): Gara, Thomas, Crawford, Stoltze, Joule, Kelly, Hawker, Meyer, Chenault

The following fiscal note(s) apply to CSHB 45(MLV):

1. Zero, Dept. of Administration
2. Zero, Dept. of Administration
3. Indeterminate, Dept. of Military & Veterans' Affairs

HB 45 was referred to the Rules Committee for placement on the calendar.

HB 65

The Labor & Commerce Committee considered:

HOUSE BILL NO. 65

"An Act relating to breaches of security involving personal information, credit report and credit score security freezes, consumer credit monitoring, credit accuracy, protection of social security numbers, care of records, disposal of records, identity theft, furnishing consumer credit header information, credit cards, and debit cards, and to the jurisdiction of the office of administrative hearings; amending Rule 60, Alaska Rules of Civil Procedure; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 65(L&C)
(same title)

The report was signed by Representative Olson, Chair, with the following individual recommendations:

Do pass (2): Gatto, Neuman

No recommendation (3): Buch, LeDoux, Olson

Amend (1): Gardner

The following fiscal note(s) apply to CSHB 65(L&C):

1. Indeterminate, Office of the Governor/All Depts.
2. Fiscal, Dept. of Administration

HB 65 was referred to the Judiciary Committee.

HB 164

The Judiciary Committee considered:

HOUSE BILL NO. 164

"An Act relating to reporting of vessel location by certain commercial passenger vessels operating in the marine waters of the state, to access to vessels by licensed marine engineers for purposes of monitoring compliance with state and federal requirements, and to the obligations of those engineers while aboard the vessels; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 164(JUD)

"An Act relating to reporting of vessel location by certain commercial passenger vessels operating in the marine waters of the state, to access to vessels by a wastewater treatment operator for purposes of monitoring compliance with state and federal requirements, to the obligations of that operator while aboard the vessels, and to the qualifications of the wastewater treatment operator; and providing for an effective date."

The report was signed by Representative Dahlstrom, Vice Chair, with the following individual recommendations:

Do pass (2): Coghill, Ramras

Do not pass (1): Dahlstrom

No recommendation (3): Gruenberg, Samuels, Holmes

Amend (1): Lynn

The following fiscal note(s) apply to CSHB 164(JUD):

1. Fiscal, Dept. of Environmental Conservation
2. Zero, Dept. of Law

HB 164 was referred to the Finance Committee.

HB 213

The Judiciary Committee considered:

HOUSE BILL NO. 213

"An Act relating to an aggravating factor at sentencing for crimes committed at certain shelters and facilities."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 213(JUD)

"An Act relating to an aggravating factor at sentencing for crimes committed at, or affecting persons or property at, certain shelters and facilities."

The report was signed by Representative Ramras, Chair, with the following individual recommendations:

Do pass (6): Gruenberg, Lynn, Coghill, Dahlstrom, Holmes, Ramras

No recommendation (1): Samuels

The following fiscal note(s) apply to CSHB 213(JUD):

1. Zero, Dept. of Corrections
2. Zero, Dept. of Law

HB 213 was referred to the Rules Committee for placement on the calendar.

INTRODUCTION OF CITATIONS

The following citations were introduced and referred to the Rules Committee for placement on the calendar:

Honoring - Tyler Hughes
By Representative Gatto

In Memoriam - Rosenda "Rudy" A. Govina
By Senator Elton; Representatives Kerttula, Doll

In Memoriam - Norma Goodman
By Senator Bunde

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 170**

The following was read the second time:

HOUSE BILL NO. 170

"An Act relating to annual audit reports by insurers, to custodians of insurer assets, to writing workers' compensation insurance by surplus lines insurers, to reports by surplus lines insurers, to the definition of 'wet marine and transportation insurance,' to false or misleading financial statements concerning insurance audits, and to the membership of the Alaska Life and Health Insurance Guaranty Association; and providing for an effective date."

with the:

Journal Page

L&C RPT 4DP 3NR	706
FN1: ZERO(CED)	707
FIN RPT CS(FIN) NT 9DP	870
FN1: ZERO(CED)	871

Representative Samuels moved and asked unanimous consent that the following committee substitute be adopted in lieu of the original bill:

CS FOR HOUSE BILL NO. 170(FIN)

"An Act relating to annual audit reports by insurers, to custodians of insurer assets, to writing workers' compensation insurance by surplus lines insurers, to reports by surplus lines insurers, to the definition of 'wet marine and transportation insurance,' to false or misleading financial statements concerning insurance audits, to high deductible health plans, to retaliation for obligations, prohibitions, or restrictions imposed on Alaska insurers by other states or countries, and to the membership of the Alaska Life and Health Insurance Guaranty Association; and providing for an effective date."

There being no objection, it was so ordered.

Representative Samuels moved and asked unanimous consent that CSHB 170(FIN) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 170(FIN) was read the third time.

The question being: "Shall CSHB 170(FIN) pass the House?" The roll was taken with the following result:

CSHB 170(FIN)

Third Reading

Final Passage

YEAS: 35 NAYS: 1 EXCUSED: 4 ABSENT: 0

Yeas: Buch, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Edgmon, Fairclough, Foster, Gara, Gardner, Gatto, Gruenberg, Harris, Hawker, Holmes, Johansen, Johnson, Joule, Kawasaki, Kelly, LeDoux, Lynn, Meyer, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

Nays: Guttenberg

Excused: Chenault, Kerttula, Kohring, Nelson

And so, CSHB 170(FIN) passed the House.

Representative Samuels moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the effective date clause. There being no objection, it was so ordered.

CSHB 170(FIN) was referred to the Chief Clerk for engrossment.

HB 185

The following was read the second time:

HOUSE BILL NO. 185

"An Act relating to certain municipal service areas that provide road services."

with the:

Journal Page

CRA RPT CS(CRA) 2DP 4NR	598
FN1: ZERO(CED)	598
TRA RPT CS(CRA) 2DP 2NR	769
FN1: ZERO(CED)	770

Representative Samuels moved and asked unanimous consent that the following committee substitute be adopted in lieu of the original bill:

CS FOR HOUSE BILL NO. 185(CRA)
(same title)

There being no objection, it was so ordered.

Representative Samuels moved and asked unanimous consent that CSHB 185(CRA) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 185(CRA) was read the third time.

The question being: "Shall CSHB 185(CRA) pass the House?" The roll was taken with the following result:

CSHB 185(CRA)
Third Reading
Final Passage

YEAS: 36 NAYS: 0 EXCUSED: 4 ABSENT: 0

Yeas: Buch, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Edgmon, Fairclough, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holmes, Johansen, Johnson, Joule, Kawasaki, Kelly, LeDoux, Lynn, Meyer, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

Excused: Chenault, Kerttula, Kohring, Nelson

And so, CSHB 185(CRA) passed the House and was referred to the Chief Clerk for engrossment.

THIRD READING OF HOUSE BILLS

HB 229

The following, which was advanced to third reading from the April 23, 2007, calendar (page 875), was read the third time:

HOUSE BILL NO. 229 am

"An Act authorizing the Alaska Railroad Corporation to participate in a project consisting of the acquisition, construction, improvement, maintenance, equipping, or operation of real and personal property, including facilities and equipment, for the Kenai gasification project and Port MacKenzie rail link, authorizing the corporation to issue bonds to finance all or a portion of the project, and identifying these as bonds for an essential public and governmental purpose; and providing for an effective date."

The Speaker stated that, without objection, HB 229 am would be held to tomorrow's calendar.

THIRD READING OF SENATE BILLS**SB 61**

The following, which was advanced to third reading from the April 23, 2007, calendar (page 875), was read the third time:

CS FOR SENATE BILL NO. 61(FIN) am

"An Act transferring funds to the public education fund; making supplemental and other appropriations; amending appropriations; and providing for an effective date."

The question being: "Shall CSSB 61(FIN) am pass the House?" The roll was taken with the following result:

CSSB 61(FIN) am

Third Reading

Final Passage

YEAS: 35 NAYS: 0 EXCUSED: 4 ABSENT: 1

Yeas: Buch, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Edgmon, Fairclough, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holmes, Johansen, Johnson, Joule, Kawasaki, Kelly, LeDoux, Lynn, Meyer, Neuman, Olson, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

Excused: Chenault, Kerttula, Kohring, Nelson

Absent: Ramras

And so, CSSB 61(FIN) am passed the House.

Representative Samuels moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the effective date clause. There being no objection, it was so ordered.

CSSB 61(FIN) am was signed by the Speaker and Chief Clerk and returned to the Senate.

SECOND READING OF HOUSE RESOLUTIONS

HJR 18

The following was read the second time:

HOUSE JOINT RESOLUTION NO. 18

Opposing the enactment of the provisions in the Next Generation Transportation System Financing Reform Act of 2007 that increase aviation fuel and aviation gas taxes.

with the:

Journal Page

TRA RPT CS(TRA) NT 5DP

845

FN1: ZERO(LEG)

845

Representative Samuels moved and asked unanimous consent that the following committee substitute be adopted in lieu of the original resolution:

CS FOR HOUSE JOINT RESOLUTION NO. 18(TRA)

Opposing the enactment of the provisions in the Next Generation Air Transportation System Financing Reform Act of 2007 that impose air traffic control user fees, increase aviation fuel and aviation gas taxes, reduce airport funding, and reduce Congressional oversight of the Federal Aviation Administration.

There being no objection, it was so ordered.

Representative Samuels moved and asked unanimous consent that CSHJR 18(TRA) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHJR 18(TRA) was read the third time.

Representative Samuels moved and asked unanimous consent that he be allowed to abstain from voting because of a conflict of interest. Objection was heard, and Representative Samuels was required to vote.

The question being: "Shall CSHJR 18(TRA) pass the House?" The roll was taken with the following result:

CSHJR 18(TRA)

Third Reading

Final Passage

YEAS: 36 NAYS: 0 EXCUSED: 4 ABSENT: 0

Yeas: Buch, Cissna, Coghil, Crawford, Dahlstrom, Doll, Doogan, Edgmon, Fairclough, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holmes, Johansen, Johnson, Joule, Kawasaki, Kelly, LeDoux, Lynn, Meyer, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

Excused: Chenault, Kerttula, Kohring, Nelson

And so, CSHJR 18(TRA) passed the House and was referred to the Chief Clerk for engrossment.

LEGISLATIVE CITATIONS

Representative Samuels moved and asked unanimous consent that the House approve the citations on the calendar. There being no objection, the following citations were approved and sent to enrolling:

Honoring - Sheila Beardsley

By Representatives Thomas, Harris, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Fairclough, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holmes, Johansen, Johnson, Joule, Kawasaki, Kelly, Kerttula, Kohring, LeDoux, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Wilson; Senator Kookesh

Honoring - 2007 Fairbanks Women of Distinction, Samantha Kirstein, Henrine Gray, Ann Shortt, and Niesje Steinkruger

By Representatives Kawasaki, Harris, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Fairclough, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holmes, Johansen, Johnson, Joule, Kelly, Kerttula, Kohring, LeDoux, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

Honoring - 2007 Petersburg High School Boys Basketball Team

By Representatives Wilson, Harris, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Fairclough, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holmes, Johansen, Johnson, Joule, Kawasaki, Kelly, Kerttula, Kohring, LeDoux, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas; Senator Stedman

Honoring - 2007 Petersburg High School Cheer Team

By Representatives Wilson, Harris, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Fairclough, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holmes, Johansen, Johnson, Joule, Kawasaki, Kelly, Kerttula, Kohring, LeDoux, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas; Senator Stedman

Honoring - Senator Georgianna Lincoln

By Senator Kookesh; Representatives Salmon, Harris, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Fairclough, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holmes, Johansen, Johnson, Joule, Kawasaki, Kelly, Kerttula, Kohring, LeDoux, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Samuels, Seaton, Stoltze, Thomas, Wilson

Honoring - Huslia Lady Huslers Basketball Team

By Senator Kookesh; Representatives Salmon, Harris, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Fairclough, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holmes, Johansen, Johnson, Joule, Kawasaki, Kelly, Kerttula, Kohring, LeDoux, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Samuels, Seaton, Stoltze, Thomas, Wilson

Honoring - Yakutat Girls Basketball Team

By Senator Kookesh; Representatives Thomas, Harris, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Fairclough, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holmes, Johansen, Johnson, Joule, Kawasaki, Kelly, Kerttula, Kohring, LeDoux, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Wilson

In Memoriam - Shirley A. Demientieff

By Senator Kookesh; Representatives Kawasaki, Harris, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Fairclough, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holmes, Johansen, Johnson, Joule, Kelly, Kerttula, Kohring, LeDoux, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

In Memoriam - Sharon Lee Ranney

By Senator Kookesh; Representatives Thomas, Harris, Chenault, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Fairclough, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holmes, Johansen, Johnson, Joule, Kawasaki, Kerttula, Kohring, LeDoux, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Wilson

UNFINISHED BUSINESS

Representative Samuels moved and asked unanimous consent that the following member be excused from a call of the House. There being no objection, the member was excused as noted:

Representative Roses - from noon, April 25 to evening plane time, April 27

HJR 18

Representatives Crawford, Buch, Lynn, Guttenberg, Harris, and Kelly added their names as cosponsors to:

CS FOR HOUSE JOINT RESOLUTION NO. 18(TRA)

Opposing the enactment of the provisions in the Next Generation Air Transportation System Financing Reform Act of 2007 that impose air traffic control user fees, increase aviation fuel and aviation gas taxes, reduce airport funding, and reduce Congressional oversight of the Federal Aviation Administration.

HB 67

Representative Wilson added her name as cosponsor to:

HOUSE BILL NO. 67

"An Act relating to an optional exemption from municipal property taxes on certain residences of law enforcement officers."

HB 213

Representative Ramras added his name as cosponsor to:

HOUSE BILL NO. 213

"An Act relating to an aggravating factor at sentencing for crimes committed at certain shelters and facilities."

ENGROSSMENT**HJR 18**

CSHJR 18(TRA) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 170

CSHB 170(FIN) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 185

CSHB 185(CRA) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

ADJOURNMENT

Representative Samuels moved and asked unanimous consent that the House adjourn until 10:00 a.m., April 25, 2007. There being no objection, the House adjourned at 10:52 a.m.

Suzi Lowell
Chief Clerk

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